

### **REMARKS**

Claims 1-13 and 19-27 are pending in this application.

Claim 19 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claims 1, 2, 5, 6, and 25 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,050,457 to Erfurt ("Erfurt"). Claims 3 and 4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Erfurt.

Claims 7-9, 19, 21-24, 26, and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Erfurt in view of U.S. Patent Application Publication No. 2001-0043604 to Li *et al.* ("Li").

Claims 10-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Erfurt in view of U.S. Patent No. 6,950,876 to Bright *et al.* ("Bright") and further in view of Li. Claim 20 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Erfurt in view of Li and further in view of Bright.

Applicant herein amends claims 1, 10, 19, 24 and 25. No new matter has been added. Claims 1-13 and 19-27 remain pending. Where claims have been amended and/or canceled, such amendments and/or cancellations are done without prejudice and/or waiver and/or disclaimer and/or disavowal to the claimed and/or disclosed subject matter, and the Applicant and/or assignee reserves the right to claim this subject matter and/or other disclosed subject matter in a continuing application.

### ***Rejections Under 35 U.S.C. § 112***

Claim 19 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner states that the phrase “said signaling messages” lacks antecedent basis. Applicant amends claim 19 to replace the phrase “said signaling *messages*” with “said signaling *message*” in accordance with the Examiner’s recommendation. Applicant apologizes for the previous response in failing to correct this error. Applicant submits that the amended claim overcomes the rejection under 35 U.S.C. § 112.

### ***Rejections Under 35 U.S.C. §§ 102 and 103***

The Examiner rejected claims 1, 2, 5, 6, and 25 under 35 U.S.C. § 102(e) as being anticipated by Erfurt. Applicant respectfully traverses these rejections and requests reconsideration of the claims in light of the amendment and arguments provided below.

Claim 1, as amended, generally recites a method for permitting communication of messages between a first communication node and a second communication node. Each of the first communication node and the second communication node is adapted to communicate in a different variant of a protocol or a different protocol. The method includes the following steps: for each message between the first communication node and the second communication node: receiving a signaling message from the first communication node; querying a first Communications Node Database for information about the first communication node in response to the signaling message; querying a second Communications Node Database for information about the second communication node in response to the signaling message; making a decision whether the signaling message needs to be modified; and modifying the signaling message before it is transmitted to the second node in response to the decision.

The Examiner rejected claim 1 as being anticipated by Erfurt. Erfurt, in general, teaches:

A method of communication between communications networks in which different communication protocols are used and which are connected to each other by way of at least one intermediate node. In order to communicate easily between the networks, *both the destination node and the start node are prompted to use a common communication protocol by the intermediate node* in that this node transmits messages to the destination node and the start node upon reading destination node information from a data collection. (Erfurt, abstract) (emphasis added)

Applicant submits that the amended claim 1 is patentable over Erfurt because Erfurt does not teach every element of the claim. Specifically, Erfurt discloses that the first communication node and the second communication node share a common protocol and Erfurt does not teach that they do not share a common protocol.

Erfurt discloses an intermediate node which is used to identify a common protocol which the start node and the destination node can use to communicate. According to Erfurt, the intermediate node modifies a message when it receives a “start message” from the start node, before a common protocol between the start node and the destination node is identified. The start message is modified “by replacing an identifier of protocol A that is contained in this start message with the identifier, which it read from the database 21, of [the common protocol].... The modified start message 23 is then forwarded to the destination node 11.” (Erfurt, col. 5, lns. 25-30, see also Fig. 2) Once the common protocol is identified by the intermediate node, the intermediate node forwards the subsequent signaling messages using this protocol. According to Erfurt: “subsequent messages between the start node and the destination node which are set up according to the common communication protocol are forwarded by the intermediate node without modification.” (Erfurt, col. 1, lns 45-49) Thus, Erfurt teaches setting up a common communication protocol between two nodes that share a common protocol. Erfurt’s method would not work if the shared protocol did not exist.

In contrast, Applicant has amended claim 1 to make clear that first of all, the first communication node and the second communication node is each adapted to communicate in a different variant of a protocol or in different protocols. That is, the first communication node and the second communication node do not share a common variant of a protocol. As such, the claim has also been amended to make clear that the signaling message *must* be modified by the signaling mediating agent (SMA) if the SMA has determined that the signaling message needs to be modified, so that the destination node is able to process them. According to the specification: “a signaling mediation agent (SMA) 130, facilitates communication among communication nodes 105 by ensuring that signaling messages transmitted by the SMA 130 have been modified so that they conform to the protocol variants used by the destination communication node.” (p. 2, para. [0010]) As such, the present invention pertains to messages between two communication nodes which do not share a common variant of a protocol and therefore require that each message be modified. Unlike Erfurt, without having the intermediate node, e.g., the SMA, deciding which signaling messages need to be modified and modifying those signaling messages, the first communication node and the second communication node cannot communicate with each other.

Claim 25 is similarly amended. Therefore, Applicant submits that claim 25 as amended is also patentable over the Erfurt and thus, should be allowed. Applicant further submits that claims 2-9 which depend from an allowable claim 1, and claim 26 and 27 which depend from an allowable claim 25 are also allowable.

Claims 19 and 24 stand rejected under 35 U.S.C. § 103 as unpatentable over Erfurth in view of Li. Claims 19 and 24 have been amended similarly to claim 1.

Li teaches the repacking of a signaling message with a destination address. Li does not teach that the source and destination have no common protocols. Applicant submits that neither Erfurth nor Li, taken together or separately, teaches or suggests modifying each signaling message in a system in which the source and destination nodes have no common protocol. Applicant therefore submits that claims 19 and 24 are

patentable as amended. Applicant also submits that claims 20-23, are allowable as depending from an allowable base claim 19.

Claims 10-13 stand rejected under 35 U.S.C. § 103 as unpatentable over Erfurt in view of Bright and further in view of Li. Erfurth and Li have been discussed above. Bright teaches querying a database to authenticate a communications node. Bright does not teach that the source and destination nodes have no common protocol. Applicant submits that none of Erfurth, Li and Bright, taken together or separately, teaches or suggests modifying each signaling message in a system in which the source and destination nodes have no common protocol. Thus for the same reasons discussed above, Applicant submits claim 10 is allowable and claims 11-13 are also patentable as depending from an allowable claim 10.

### **CONCLUSION**

In light of the foregoing, reconsideration and allowance of all the pending claims is hereby requested. Applicant requests withdrawal of all grounds of rejection, and allowance of claims 1-13 and 19-27 in due course.

If, in the Examiner's opinion, a telephonic interview would expedite the favorable prosecution of the present application, the undersigned attorney would welcome the opportunity to discuss any outstanding issues, and to work with the Examiner toward placing the application in condition for allowance.

Respectfully submitted,

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Reg. No.: 35,722

Tel. No.: (617) 261-3148  
Fax No.: (617) 261-3175

/James A. Culverwell/ Reg. No. 58,175 for  
Thomas A. Turano  
Attorney for Applicant  
K&L Gates LLP  
State Street Financial Center  
One Lincoln Street  
Boston, Massachusetts 02111-2950